

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CURRY COMMUNICATIONS, INC.,)
 Plaintiff,)
)
)
 vs) Civil Action No. 05-1326
)
)
VERIZON DIRECTORIES CORP.,)
 Defendant.)

O R D E R

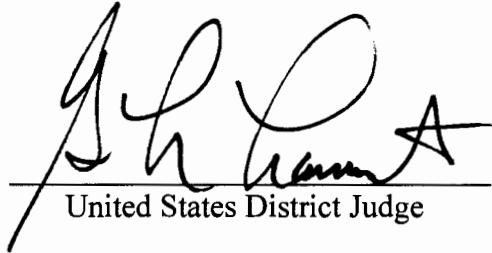
AND NOW, this ^{9th} day of *March*, 2006, after the plaintiff filed an original complaint against defendant Verizon Directories Corp., and after the defendant moved to dismiss the original complaint for failure to state a viable claim, and after a Report and Recommendation was issued by the United States Magistrate Judge, and the parties were granted ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the plaintiff, as well as defendant Verizon Directories Corp.'s response to those objections, and after the plaintiff filed an amended complaint, which names as defendants Verizon Directories Corp. and Verizon Pennsylvania, Inc., and after independent review of the pleadings, and the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the motion to dismiss the original complaint filed by defendant Verizon Directories Corp. (Docket No. 5) is granted.

IT IS FURTHER ORDERED that the amended complaint (Docket No. 19) is stricken as to defendant Verizon Directories Corp. on grounds of futility, as the claim against it in the

amended complaint fails to cure the deficiencies asserted against it in the original complaint.

IT IS ALSO ORDERED that if the plaintiff wishes to proceed on its claim against defendant Verizon Pennsylvania, Inc., it shall file an amended complaint against it within twenty (20) days of the date of this Order.



A handwritten signature in black ink, appearing to read "Robert C. Mitchell". Below the signature is a horizontal line, and underneath the line is the title "United States District Judge".

cc: All Counsel of Record

Honorable Robert C. Mitchell
United States Magistrate Judge